

State of New Hampshire
By Her Excellency
Jeanne Shaheen, Governor

EXECUTIVE ORDER 2002-4

**An order requiring the Department of Environmental Services
to notify abutters of well contamination**

WHEREAS, state law requires public water supply systems to notify each customer of a violation of the State's drinking water standards or when the concentration of MtBE is greater than 5 ppb; and

WHEREAS, there is no current federal or state requirement for notifying abutters to private or public water supply well owners when contamination is discovered in groundwater; and

WHEREAS, it is appropriate to provide notification to abutters of any wells that show groundwater contamination in excess of public drinking water standards and, in the case of MtBE contamination, when the concentration is above 5 ppb; and

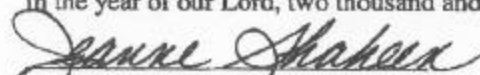
WHEREAS, it is appropriate to notify public water suppliers when the groundwater contamination falls within the wellhead protection area of the public water supply, and to notify the health officer of any municipality in which a contaminated groundwater supply is detected, or in which abutting property to the contaminated groundwater supply is located;

NOW, THEREFORE, I, JEANNE SHAHEEN, Governor of the State of New Hampshire, by the authority vested in me pursuant to Part II, Article 41 of the New Hampshire Constitution, do hereby order and direct the Department of Environmental Services, to notify the following individuals and entities of the presence of groundwater contamination, detected on or after July 1, 2002, when one or more regulated contaminants exceeds ambient groundwater quality standards or MtBE concentration is greater than 5 ppb.

- (a) The owners of any property which 1) contains a water supply well and 2) is within 500 horizontal feet of a well where contamination is discovered.
- (b) Public water suppliers, when the groundwater contamination falls within the wellhead protection area of the public water supply.
- (c) The health officer of any municipality in which a contaminated groundwater supply is detected.
- (d) The health officer of any municipality in which any property subject to the notification provisions of (a) and (b) is located.

Such notification will be provided in writing within 30 days following confirmation of contamination determined by sampling conducted by the Department or at its direction.

Given under my hand and seal at the Executive
Chambers in Concord, this 15 day of May
in the year of our Lord, two thousand and two.


GOVERNOR OF NEW HAMPSHIRE